

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: A8655

Daniel A. FERRARA

Continuation-In-Part Application of  
Appln. No.: 09/793,590

Group Art Unit: 3675 (parent)

Confirmation No.: Not Assigned

Examiner: Lisa M. BANNAPRADIST (parent)

Filed: September 30, 2003

For: CUSHIONING ELEMENT

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 CFR §1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form which are all the references of record in parent application No. 09/793,590. Applicant is not submitting duplicate copies of these references but requests that they be listed on the face of any patent granted on the above application. (See 37 CFR §1.98(d)). Copies of any cited copending applications, if not previously submitted, are being submitted herewith.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not

INFORMATION DISCLOSURE STATEMENT  
ATTORNEY DOCKET NO. A8655

waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

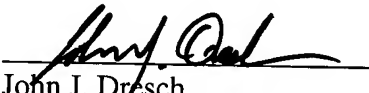
Respectfully submitted,

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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

  
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Date: September 30, 2003

Substitute for Form 1449 A &amp; B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT***(use as many sheets as necessary)*

Sheet 1 of 3

*Complete if Known*

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First Named Inventor	Daniel A. FERRARA
Art Unit	Not Assigned
Examiner Name	Not Assigned
Attorney Docket Number	A8655

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 5,000,599	A	03-19-1991	McCall et al.
		US 5,846,145	A	01-1997	Tinlin
		US 4,338,270	A	07-06-1982	Uffindell
		US 412,479	A	10-08-1889	Davis
		US 782,388	A	02-04-1905	Goldsmith
		US 4,035,089	A	07-12-1977	Schwartz et al.
		US 4,765,856	A	08-23-1988	Doubt
		US 4,934,024	A	06-19-1990	Sexton, I
		US 5,475,894	A	12-19-1995	Wildforster
		US 5,548,848	A	08-27-1996	Huybrechts
		US 6,379,065	B2	04-30-2002	Perry et al.
		US 3,398,213	A	08-20-1968	Chetakian
		US 3,407,406	A	10-29-1968	Werner et al.
		US 3,518,786	A	07-07-1970	Holtvoigt
		US 3,529,368	A	09-22-1970	Canfield
		US 3,552,044	A	01-05-1971	Wiele
		US 3,748,669	A	07-31-1973	Warner
		US 3,748,779	A	07-31-1973	Cherk et al.
		US 3,968,530	A	07-13-1976	Dyson
		US 4,038,762	A	08-02-1977	Swan Jr.
		US 4,144,658	A	03-20-1979	Swan, Jr.
		US 4,229,546	A	10-21-1982	Swan, Jr.
		US 4,243,754	A	01-06-1981	Swan, Jr.
		US 4,252,910	A	02-24-1981	Schaefer
		US 4,255,202	A	03-10-1981	Swan, Jr.
		US 4,467,053	A	08-21-1984	Markle
		US 4,472,847	A	09-25-1984	Gammons et al.
		US 4,588,229	A	05-13-1986	Jay

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		DE	4 227 537	A1	02-1994	Eppich	
		DE	1 511 325	A	07-31-1969		

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>

Examiner Signature	Date Considered
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.

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Sheet	2	of	3	Application Number	Not Assigned
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				First Named Inventor	Daniel A. FERRARA
				Art Unit	Not Assigned
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		US 4,660,238	A	04-28-1987	Jay
		US 4,709,431	A	12-01-1987	Shaktman
		US 4,726,624	A	02-23-1988	Jay
		US 4,728,551	A	03-01-1988	Jay
		US 4,761,843	A	08-09-1988	Jay
		US 4,842,330	A	06-27-1989	Jay
		US 4,952,190	A	08-28-1990	Tarnoff et al.
		US 4,952,439	A	08-28-1990	Hanson
		US 4,953,913	A	09-04-1993	Graebe
		US 5,015,313	A	05-14-1991	Drew et al.
		US 5,058,291	A	10-22-1991	Hanson
		US 5,079,786	A	01-14-1992	Rojas
		US 5,079,787	A	01-14-1992	Pollmann
		US 5,093,138	A	03-03-1992	Drew et al.
		US 5,147,685	A	09-15-1992	Hanson
		US 5,190,504	A	03-02-1993	Scatterday
		US 5,201,780	A	04-13-1993	Dinsmoor, III et al.
		US 5,204,154	A	04-20-1993	Drew et al.
		US 5,322,718	A	06-21-1994	Low
		US 5,335,907	A	08-09-1994	Spector
		US 5,336,708	A	08-09-1994	Chen
		US 5,350,342	A	09-27-1994	Scatterday
		US 5,508,334	A	04-16-1996	Chen

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		US 5,549,743	A	08-27-1996	Pearce
		US 5,633,286	A	05-27-1997	Chen
		US 5,718,655	A	02-17-1998	Phillips
		US 5,766,704	A	06-16-1998	Allen et al.
		US 5,827,459	A	10-27-1998	Allen et al.
		US 5,839,992	A	11-24-1998	Phillips
		US 5,882,280	A	03-16-1999	Dahlin, Jr.
		US 5,891,000	A	04-06-1999	Phillips
		US 5,906,887	A	05-25-1999	Withers
		US 5,924,661	A	07-20-1999	Chernack
		US 5,939,157	A	08-17-1999	Allent et al.
		US 5,955,159	A	09-21-1999	Allen et al.
		US 5,970,581	A	10-26-1999	Chadwick et al.
		US 5,985,383	A	11-16-1999	Allent et al.
		US 6,146,038	A	11-14-2000	Mittersinker et al.
		US 5,716,303	A	02-10-1998	Scatterday
		US 4,167,347	A	09-11-1979	Hoyle
		US 782,388	A	02-14-1905	Goldsmith
		US 839,537	A	12-25-1906	Beaumel

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